

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DATA CARRIERS, LLC,

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

C.A. No. 12-327-LPS

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
AS TO DEFENDANT AMAZON.COM, INC.**

IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Data Carriers, LLC and Defendant Amazon.com, Inc., pursuant to Fed. R. Civ. P. 41(a)(2) and (c) and subject to the approval of the Court, that all claims between them in this action be, and upon approval are, dismissed WITH PREJUDICE, with each party to bear its own costs, expenses and attorneys' fees.

BAYARD, P.A.

POTTER ANDERSON & CORROON LLP

/s/ Stephen B. Brauerman
Richard D. Kirk (rk0922)
Stephen B. Brauerman (sb4952)
Vanessa R. Tiradentes (vt5398)
222 Delaware Avenue, Suite 900
Wilmington, DE 19899
(302) 655-5000
rkirk@bayardlaw.com
sbrauerman@bayardlaw.com
vtiradentes@bayardlaw.com

/s/ Richard L. Horwitz
Richard L. Horwitz (#2246)
David E. Moore (#3983)
Hercules Plaza, 6th Floor
1313 N. Market Street
Wilmington, DE 19899
Tel: (302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com

Attorneys for Plaintiff Data Carriers, LLC

Attorneys for Defendant Amazon.com, Inc.

Dated: August 16, 2012

IT IS SO ORDERED this _____ day of _____, 2012.

The Honorable Leonard P. Stark
United States District Court Judge